

REMARKS

Claims 1 and 3-6 were presented and examined. In response to the Office Action, Claim 1 is amended, no claims are cancelled, and no claims are added. Applicant requests reconsideration of the application in view of the following remarks.

Claim Rejections Under 35 U.S.C. § 103

Claims 1 and 3-5 are rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,398,037 issued to Sadan et al. (“Sadan,” previously cited) in view of U.S. Patent 3,515,415 to Clark et al. (“Clark,” previously cited). Claim 6 is rejected under 35 U.S.C. § 103(a), as being unpatentable over Sadan in view of Clark as applied to Claim 5, and further in view of Orberg, et al. (“Orberg,” *26th Edition Machinery’s Handbook*). Applicant respectfully traverses the rejections for the following reasons.

Claim 1 recites:

1. A liquid filtering device, particularly for irrigation water installations comprising:

...

wherein an assembly for the mounting of the core member comprises a seat member and a female screw-threaded split ring matching the male screw-thread; and the seat member is formed with a circular convergent cone shaped trough defined by a circular rim, a convergent cone-shaped wall, and a planar radial wall, the seat member encompassing the split ring and fixedly mounted to the housing, the arrangement being such that upon threading together, the split ring is forced away from the planar radial wall and attracted towards the abutment ring distal from the planar radial wall, and the outer surface of the split ring is beveled by a same angle as the cone-shaped wall and thus becomes self-tightened against the cone-shaped wall of the trough,

wherein said trough is open at at-least one side thereof allowing the split ring to be inserted thereinto by elastically squeezing same into a smaller diameter to initially force the split ring against the planar radial wall. (Emphasis added.)

While Applicant’s argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from them.

It is asserted in the Office Action that Sadan discloses a female screw-threaded split ring and cites reference part 82. Applicant respectfully disagrees. As previously noted, the assignee of the present application is the same as Sadan, and Applicant illustrates Sadan in Figure 1. Applicant notes that ring 82 of Sadan is a complete and whole ring, not a split ring as in Claim 1 (see Applicant's Figure 3, reference no. 202). Applicant further notes that a split ring operates completely different from a ring that is not split.

Although Sadan does not disclose a split ring, according to the Examiner, Sadan discloses the claimed invention except that the split ring and trough are integrated as opposed to separable. As a result, the Examiner cites Clark. According to the Examiner, Clark teaches the separable split ring and trough, with reference to FIGS 1 and 2, where a split ring is net body portion 3 and ring portion 4 and the trough is collar 6. We respectfully disagree with the Examiner's assertions and characterizations regarding Clark.

Claim 1, as amended, recites that a seat member is formed with a circular convergent cone-shaped trough defined by a circular rim, a convergent cone-shaped wall, and a planar radial wall. As further recited by Claim 1, said trough is open on at least one side thereof, allowing the split ring to be inserted thereinto by elastically squeezing the same into a smaller diameter, and an outer surface of the split ring is beveled by the same angle as the cone-shaped wall to initially force the split ring against the planar radial wall. The Examiner has failed to identify, and we are unable to discern, any portion of either Clark or Sadan that teaches or suggests a split ring having an outer surface that is beveled by a same angle as the cone-shaped wall (200b) to initially force the split ring (202) against the planar radial wall (200c), as in Claim 1.

As indicated above, Sadan neither discloses the female screw-threaded split ring 202 nor the circular convergent cone-shaped trough defined by circular rim 200a, convergent cone-shaped wall 200b, and planar radial wall 200c of Claim 1. In addition, the Examiner relies on collar 6 of Clark to disclose the trough of Claim 1. However, collar 6 does not have an outer surface that is beveled by a same angle as a cone-shaped wall to initially force a split ring against a planar radial wall of a trough. Furthermore, Claim 1 recites that upon threading together, the split ring is forced away from the planar radial wall 200c and is attracted toward the abutment

ring 138 distal from the planar radial wall 200c, and thus becomes self-tightened against the cone-shaped wall of the trough.

We are unable to identify, and based on our review believe that the Examiner would not be able to identify, any portion of either Clark or Sadan that describes a split ring that is initially forced against a planar radial wall and, upon threading, is forced away from the planar radial wall and attracted toward an abutment ring distal from the planar radial wall, as in Claim 1. Hence, no combination of Sadan in view of Clark can teach or suggest an outer surface of a split ring that is beveled by a same angle as a cone-shaped wall to initially force the split ring against a planar radial wall, much less that upon threading together, the split ring is forced away from the planar radial wall and attracted toward an abutment ring distal from the planar radial wall, and thus becomes self-tightened against the planar radial wall of the trough, as in Claim 1.

For each of the above reasons, therefore, Claim 1 and all claims which depend from Claim 1 are patentable over Sadan in view of Clark.

Regarding the Examiner's previous rejection of the claims as obvious in view of Sadan, we submit that the integral structure of Sadan is integrally formed filter core 24 (see Abstract). This integral structure is modified by the present invention. The female screw-threaded ring 82 of Sadan is modified by the present invention. However, the present invention not only provides a split ring but also includes an outer surface of the split ring that is beveled by a same angle as a cone-shaped wall of a circular convergent cone-shaped trough that is defined by a circular rim 200a, the cone-shaped wall 200b, and the radial wall 200c. In addition, the beveled outer surface of the split ring initially forces the split ring against the planar radial wall 200c when the split ring is inserted into the trough. As further recited by amended Claim 1, upon threading the split ring is forced away from the planar radial wall 200c and attracted toward the abutment ring 138 distal from the planar radial wall 200c. We submit that such modifications are something more than constructing a formally integral structure in various elements beyond a routine skill in the art. Hence, we submit that the assertions in the Office Action that lead to a conclusion of obviousness are not explicit, and the basic requirements of an articulated rationale under MPEP 2143 cannot be found.

In light of the foregoing, the Examiner has failed to make a *prima facie* case of obviousness under 35 USC 103 and, since Sadan does not teach, disclose or suggest all of the limitations of Applicant's amended Claim 1, as listed above, Applicant's amended Claim 1 is not obvious over Sadan or in view of the other prior art, since a *prima facie* case of obviousness has not been met under MPEP 2142.

For each of the above reasons, Claim 1, and all claims which depend from Claim 1, are also patentable over the combination of Sadan in view of Clark. Consequently, please reconsider and withdraw the §103(a) rejection of claims 1 and 3-6.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant's silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on September 3, 2008, Applicant respectfully petitions Commissioner for a one (1) month extension of time, extending the period for response to January 3, 2009. Please charge Deposit Account No. 02-2666 in the amount of \$65.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(1) small entity.

CONCLUSION

Applicants respectfully submit that claims 1 and 3-6 patentably define the subject invention over the cited references of record and are in condition for allowance, and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: January 2, 2009

By:



Joseph Lutz, Reg. No. 43,765

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
Telephone (310) 207-3800
Facsimile (408) 720-8383

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.



Alexandra Y. Caluen

January 2, 2009